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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,711	07/29/2004	Aaron DeLong	MASL-50	4710
37690	7590	06/06/2006	EXAMINER	
WOOD, HERRON & EVANS, LLP (LEAR)			PAPE, JOSEPH	
2700 CAREW TOWER			ART UNIT	
441 VINE STREET			PAPER NUMBER	
CINCINNATI, OH 45202			3612	

DATE MAILED: 06/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/710,711

Applicant(s)

DELONG ET AL.

Examiner

Joseph D. Pape

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-7 and 16-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 1-7 and 16-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 3/6/06.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Soeters.

Soeters discloses the claimed invention including housing 22, power contact 50, latching mechanism 54 and a transport device comprising the curved housing edge at the rear of the housing as seen in Figure 1.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soeters in view of Larsen et al.

Soeters discloses the claimed invention except for the specific transport device including a strap which is "removable" as broadly as recited.

Larsen et al. disclose a console device for a vehicle with strap 51.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the console of Soeters with a transport strap as taught by Larsen et al. for ease of transport when disconnected from the vehicle.

7. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soeters in view of Grabowski et al.

Soeters et al. disclose the claimed invention except for the use of a battery for the console electronics and a plug thereon for other devices.

Grabowski et al. disclose a housing which uses battery power for its electronics and includes a power outlet 30.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the console of Soeters with battery power and to provide the console with a plug on the housing for other devices as taught by Grabowski et al. for an enhanced power source for the electronics of the console and for other devices.

8. Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soeters in view of Gray.

Soeters discloses the claimed console except a sound contact to carry sound to a speaker associated with the console.

Gray discloses a vehicle console which includes contacts between the console and the vehicle including contacts with data transmission connectors for a computer.

See column 5, lines 23-31.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a computer data contact between the console and the vehicle of Soeters as taught by Gray in order to enhance the function of the console. The computer of Soeters, as modified, receives data from the vehicle which selectively results in sounds thru the inherent speaker of the computer.

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soeters in view of Gray and Liu.

Soeters, as modified, discloses the claimed invention except for the exact electronic device included thereon and a thermoelectric device.

Gray discloses that a vehicle console may include the use of broadcast microwave signals which inherently includes radio signals. See column 4, lines 44-56.

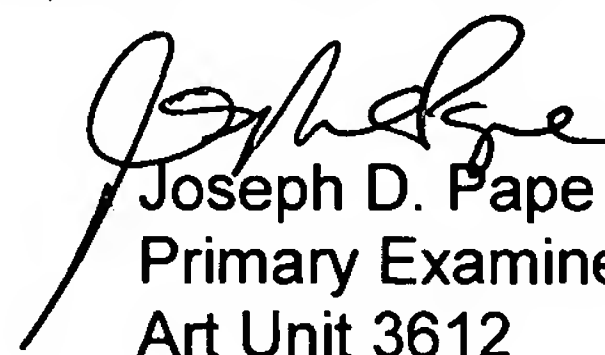
Liu discloses the use of a thermoelectric device in a vehicle console for heating.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the console of Soeters to include means for utilizing radio waves as taught by Gray for enhanced functioning of the console. Further, it would also have been obvious to provide the console of Soeters, as modified to include a thermoelectric device as taught by Liu in order to heat water.

**Conclusion**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Pape whose telephone number is (571)272-6664. The examiner can normally be reached on Tuesday-Friday 6:30 AM-3:00 PM.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Joseph D. Pape  
Primary Examiner  
Art Unit 3612  
5/29/06

Jdp

5/29/06